

IC 33-29-3

Chapter 3. Small Claims Referees

IC 33-29-3-1

Application

Sec. 1. This chapter applies to each superior court having a standard small claims and misdemeanor division for which a judge of the superior court is authorized under IC 33-33 to appoint a small claims referee.

As added by P.L.98-2004, SEC.8.

IC 33-29-3-2

Times of service; qualifications

Sec. 2. (a) A small claims referee shall serve at those times the court requires.

(b) A small claims referee:

- (1) must be admitted to the practice of law in Indiana;
- (2) is not required to be a resident of the county; and
- (3) continues in office until removed by the judge of the court.

As added by P.L.98-2004, SEC.8.

IC 33-29-3-3

Appointment; practice of law

Sec. 3. The appointment of the small claims referee:

- (1) must be in writing; and
- (2) does not prohibit the private practice of law by the appointee.

As added by P.L.98-2004, SEC.8.

IC 33-29-3-4

Powers

Sec. 4. A small claims referee may:

- (1) administer all oaths and affirmations;
- (2) take and certify affidavits and depositions;
- (3) issue subpoenas for witnesses;
- (4) compel the attendance of witnesses; and
- (5) punish contempts;

for matters within the small claims jurisdiction of the court.

As added by P.L.98-2004, SEC.8.

IC 33-29-3-5

Duties

Sec. 5. The small claims referee shall:

- (1) conduct trials of small claims cases;
- (2) for cases disposed of by trial, submit written findings of fact, conclusions of law, and recommendations for final judgments to the judge of the court; and
- (3) for cases disposed of without trial, submit a written disposition report to the judge of the court.

As added by P.L.98-2004, SEC.8.

IC 33-29-3-6

Limiting power of court

Sec. 6. The judge of the court may:

- (1) limit any of the rights or powers of the small claims referee;
and
- (2) specifically determine the duties of the small claims referee
within the limits established in this chapter.

As added by P.L.98-2004, SEC.8.